

Interview

Applicants note with appreciation, the Examiner having taken the time to conduct an Interview at the PTO on May 25, 2000 in order to expedite prosecution. During the Interview, the Examiner indicated that canceling claims 1, 2, and 5-7 would place this application in a condition for allowance, see Interview Summary Form (paper #25). This Response reflects Applicants willingness to work with the Examiner toward the goal of obtaining a Notice of Allowance.

Issues Under 35 U.S.C. § 102

Claims 1, 2, 5-7, 11-16 and 18-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Mukaiyama or Corey et al. Applicant respectfully traverses the rejections.

As was agreed upon in the Interview, neither Mukaiyama nor Corey et al teach a reaction that includes the combination of a compound having a carbon-carbon unsaturated bond and a compound having an electrophilic functional group or an electrophilic reagent. Since a claim is anticipated only if each and every element as set forth in the claim is found (either expressly or inherently described) in a single prior art reference, neither

Mukaiyama nor Corey et al anticipate the claims. As such, Applicant respectfully requests that the rejections be withdrawn.

Issues Under 35 U.S.C. § 103

Claims 1-7, 11-16 and 18-20 stand rejected under 35 U.S.C. § 103 as being unpatentable over Kulinkovich et al. Applicant respectfully traverses the rejection.

As was agreed upon in the Interview, the presently claimed invention is not made obvious by Kulinkovich et al, since Kulinkovich et al teach a reaction which must include styrene as a reactant. Kulinkovich et al explicitly teaches away from extending the scope of the reaction to include other olefinic reactants in the following statement,

However, we cannot extend this method to the preparation of other 1,2-disubstituted cyclopropanols by using the hept-1-ene, α -methylstyrene and ethyl vinyl ether as the olefinic component. See column 1 page 231.

The presently claimed invention is patentably distinct from Kulinkovich et al, since the presently claimed invention recites that the compound having a carbon-carbon unsaturated bond is not styrene. As such, Applicants respectfully request the rejection be withdrawn.

CONCLUSION

In view of the above amendments and comments, Applicant respectfully submits that the claims are in condition for allowance. A notice to such effect is earnestly solicited.

Should the Examiner have any questions regarding this matter, he is respectfully requested to contact the undersigned, who is located in the Washington D.C. area at (703) 205-8000.

Pursuant to 37 C.F.R. §§ 1.17 or 1.136(a), Applicant respectfully petitions for a one month extension of time for filing a response in connection with the present application and the required fee of \$110.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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